

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 108 be amended to read as follows:

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 22-2-5-1 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) Every person,
5 firm, corporation, limited liability company, or association, their
6 trustees, lessees, or receivers appointed by any court, doing business
7 in Indiana, shall pay each employee at least semimonthly or biweekly,
8 if requested, the amount due the employee. The payment shall be
9 made in lawful money of the United States, by negotiable check,
10 draft, or money order, or by electronic transfer to the financial
11 institution designated by the employee. Any contract in violation of
12 this subsection is void.
13 (b) Payment shall be made for all wages earned to a date not
14 more than ten (10) **business** days prior to the date of payment.
15 However, this subsection does not prevent payments being made at
16 shorter intervals than specified in this subsection, nor repeal any law
17 providing for payments at shorter intervals. However, if an employee
18 voluntarily leaves employment, either permanently or temporarily,
19 the employer shall not be required to pay the employee an amount
20 due the employee until the next usual and regular day for payment of
21 wages, as established by the employer. If an employee leaves
22 employment voluntarily, and without the employee's whereabouts or
23 address being known to the employer, the employer is not subject to
24 section 2 of this chapter until:
25 (1) ten (10) **business** days have elapsed after the employee has
26 made a demand for the wages due the employee; or
27 (2) the employee has furnished the employer with the
28 employee's address where the wages may be sent or
29 forwarded."
30 Renumber all SECTIONS consecutively.
 (Reference is to SB 108 as printed January 27, 2006.)

Senator YOUNG R MICHAEL